

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                               |   |                   |
|-------------------------------|---|-------------------|
| LINDA NELSON,                 | ) | 4:10CV3081        |
|                               | ) |                   |
| Plaintiff,                    | ) |                   |
|                               | ) |                   |
| v.                            | ) | <b>MEMORANDUM</b> |
|                               | ) | <b>AND ORDER</b>  |
| SIGNOR TRUCKING, Inc., SIG    | ) |                   |
| ENTERPRISES, Inc., NORFOLK    | ) |                   |
| DIESEL REPAIR, Inc., US HEAVY | ) |                   |
| HAUL, Inc., and KEVIN SIGNOR, | ) |                   |
|                               | ) |                   |
| Defendants.                   | ) |                   |

This matter is before the court on Plaintiff's Motion for Leave to Correct Spelling (filing no. [28](#)), which the court liberally construes as a Motion to Amend Complaint. Also pending are Plaintiff's Motion for Sanctions (filing no. [29](#)) and Defendants' Objection (filing no. [31](#)) to Plaintiff's Motion for Sanctions.

In Plaintiff's Motion to Amend Complaint, Plaintiff asks the court for leave to correct spelling of the word "Libel" in her Complaint. (Filing No. [28](#) at CM/ECF p. 1.) Defendants have not objected to Plaintiff's Motion to Amend. (See Docket Sheet.) The court will grant Plaintiff's Motion to Amend. However, in accordance with [NECivR 15.1\(b\)](#), the court will consider Plaintiff's Motion to Amend as supplemental to the original Complaint. That is, Plaintiff does not need to file a separate amended complaint.

Plaintiff also filed a Motion for Sanctions in which she seeks an order from the court imposing sanctions against Defendants' attorney for violations of [Federal Rule of Civil Procedure 11](#). Specifically, Plaintiff argues that counsel's arguments in Defendants' Brief in support of their Motion to Dismiss are "wholly incompatible with the possibility of even minimal preparation and provided little other than a

demonstration of [] an all-inclusive unfamiliarity with the applicable laws.” (Filing No. [29](#) at CM/ECF p. 1.) The court has thoroughly reviewed the record in this matter, including Defendants’ Brief in support of Motion to Dismiss, and finds Plaintiff’s argument to be without merit. Accordingly, Plaintiff’s Motion for Sanctions will be denied.

IT IS THEREFORE ORDERED that:

1. Plaintiff’s Motion for Leave to Correct Spelling (filing no. [28](#)), which the court liberally construes as a Motion to Amend Complaint, is granted. Plaintiff does not need to file a separate amended complaint.

2. Plaintiff’s Motion for Sanctions (filing no [29](#)) is denied.

3. Defendants’ Objection (filing no. [31](#)) to Plaintiff’s Motion for Sanctions is granted insofar as it is consistent with this Memorandum and Order.

DATED this 25<sup>th</sup> day of January, 2011.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge

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